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February 22, 2022

Via ECF

Hon. Katherine Polk Failla
United States District Court
40 Foley Square
Courtroom 618
New York, New York 10007

MEMO ENDORSED

RE: Joint Letter Motion for Adjournment of Pretrial Conference
Gonzalez, et al. v. Ninth Ave. Kitchen Corp., et al., 1:21-cv-1158 (KPF)

Dear Judge Failla:

Pursuant to Local Rule 7.1(d) and Your Honor's Individual Rule of Practice 2(C), Defendants in the above-referenced matter write to respectfully request that the pretrial conference currently scheduled for February 24, 2022 at 10:00 a.m. be adjourned *sine die* until the date in which the parties present the Court with their *Cheeks* settlement motion for approval.

The reason for this request is that the parties have reached a settlement agreement in principle and are currently finalizing the agreement which they will submit to the Court for approval in the coming days. Plaintiffs' counsel consents to this request for an adjournment of the currently scheduled pretrial conference.

Thank you for your attention to the above.

Respectfully jointly submitted,



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Attorneys for Defendants

Application GRANTED. The conference scheduled in this matter for February 24, 2022, is hereby ADJOURNED *sine die*. The parties are directed to submit their motion for preliminary approval on or before March 1, 2022. If the settlement has not been finalized by that date, the parties are directed to submit a status letter informing the Court when it should expect to receive the motion for preliminary approval.

The Clerk of Court is directed to terminate the pending motion at docket number 26.

Dated: February 22, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE